



06-27-02

CPA/1600  
#

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

## CERTIFICATE OF EXPRESS MAILING

I hereby certify that this paper and the documents and/or fees referred to as attached therein are being deposited with the United States Postal Service on June 24, 2002 in an envelope as "Express Mail Post Office to Addressee" service under 37 CFR §1.10, Mailing Label Number EL947956310US, addressed to the Commissioner for Patents, Washington, DC 20231.

Sunshine Noriega  
Sunshine Noriega

Attorney Docket No.: MXGNE01X1

First Named Inventor: Sergey

Selifonov

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CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL  
UNDER 37 CFR §1.53(d)

Commissioner for Patents  
Box CPA  
Washington, DC 20231

This is a request for filing a



Continuation



Divisional

application under 37 CFR §1.53(d) (continued prosecution application) of prior pending application No. 09/494,282, filed on January 18, 2000, entitled METHODS OF MAKING CHARACTER STRINGS, POLYNUCLEOTIDES AND POLYPEPTIDES HAVING DESIRED CHARACTERISTICS.

06/28/2002 BABRAHA1 00000134 09494282

01 FC:131

740.00 DP

Assigned to: Maxygen, Inc.

## PLEASE NOTE:

- o THIS APPLICATION ABANDONS THE PARENT APPLICATION
- o MAY NOT BE USED WHEN THE PARENT IS A PROVISIONAL
- o NO REFERENCE TO PRIOR APPLICATION IN CPA PERMITTED



Do not publish this application. Nonpublication Request is attached.



Enter the unentered amendment previously filed on \_\_\_\_\_ under 37 CFR 1.116 in  
the prior nonprovisional application.



A preliminary amendment is enclosed.



This application is filed by fewer than all the inventors named in the prior application, 37 CFR  
1.53(d)(4). DELETE the following inventor(s) named in the prior nonprovisional application:



A new power of attorney or authorization of agent (PTO/SB/81) is enclosed.



Information Disclosure Statement with Form PTO-Form 1449 is enclosed.

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☐ Copies of IDS Citations

Fee Calculation (37 CFR § 1.16)
☐ Applicant is entitled to Small Entity Status under 37 C.F.R. § 1.27.

	(Col. 1) Total Claims		(Col. 2) Claims	(Col. 3) Present Extra	Rate	Additional Fee
TOTAL	16	MINUS	20	= 0	x 18	0.00
INDEP.	3	MINUS	3	= 0	x 84	0.00
[ ] First presentation of multiple dependent claim					\$280	
Basic Filing Fee under 37 C.F.R. § 1.16(a)					\$740	740.00
TOTAL						740.00
SMALL ENTITY 50% FILING FEE REDUCTION (if applicable)						

☒ The Commissioner is hereby authorized to credit overpayments or to charge any fees due to Deposit Account No. 500388 (Order No. MXGNP001X1).

General Authorization for Petition for Extension of Time (37 CFR §1.136)
☒ Applicants hereby make and generally authorize any Petitions for Extensions of Time as may be needed for any subsequent filings. The Commissioner is also authorized to charge any extension fees under 37 CFR §1.17 as may be needed to Deposit Account No. 500388 (Order No. MXGNP001X1).

☒ Check No. 5856 in the amount of \$740.00 is enclosed.

☐ Suspension of Prosecution for the time necessary to file an amendment is requested.

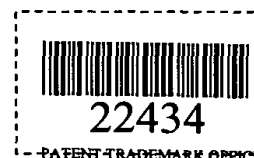
☐ An Extension of Time in the prior application is requested.

☐ A Conditional Extension of Time in the prior application is requested.

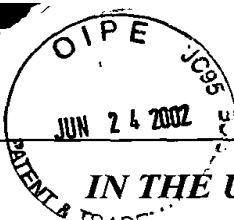
☐ Other:

☒ Please continue to send correspondence to the following address:

**Customer Number 022434**


Date: June 24, 2002

*Jeffrey K. Weaver*  
**Jeffrey K. Weaver**  
 Registration No. 31,314



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Selifonov et al.

Attorney Docket No.: MXGNP001X1

Application No.: 09/494,282

Examiner: Shubo Zhou

Filed: January 18, 2000

Group: 1631

Title: METHODS FOR MAKING CHARACTER  
STRINGS, POLYNUCLEOTIDES AND  
POLYPEPTIDES HAVING DESIRED  
CHARACTERISTICS

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Sunshine Noriega

PRELIMINARY AMENDMENT

Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

This amendment is submitted for consideration with a concurrently filed continued prosecution application. Please enter the following amendments.

IN THE SPECIFICATION

Please delete the paragraph beginning at page 49, line 30 and ending at page 50, line 7 and substitute therefor the following new paragraph:

DI  
HMM can be used in other ways as well. Instead of applying the generated profile to identify previously unidentified family members, the HMM profile can be used as a template to generate de novo family members (e.g., intermediate members of a cladistic tree of nucleic acids). For example, the program, HMMER is available at hmmer.wustl.edu (on the world wide web). This program builds a HMM profile on a defined set of family members. A sub-program, HMMEMIT, reads the profile and constructs de novo sequences based on that. The original purpose of HMMEMIT is to generate positive controls for the search pattern, but the program can be adapted to the present invention by using the output as in silico generated